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C O N F I D E N T I A L SECTION 01 OF 05 USOSCE 000286

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TAGS: [KCFE](#) [OSCE](#) [PARM](#) [PREL](#) [RS](#) [XG](#)

SUBJECT: OSCE/FSC: STRUCTURING WORK ON CSBMS, INCLUDING
VIENNA DOCUMENT 1999

REF: STATE 111008

Classified By: Chief Arms Control Delegate Hugh Neighbour,
Reason 1.4B/D

11. (C) Summary and Guidance Request: As Washington reviews policy options and ways forward on many issues in the U.S.-Russia relationship at the end of 2009, USOSCE would recommend additional attention be focused on the "Vienna Document 1999" (VD99), the OSCE's landmark CSBM vehicle. In the ten years since adoption of VD99, numerous related proposals have been discussed, and VD99 itself has been reviewed in detail three times. However, it has seen neither changes nor updates. Moreover, all OSCE pS agreed at the Athens OSCE ministerial two weeks ago on exploring ways to strengthen arms control and CSBM instruments, "including strengthening the Vienna Document 1999". As the Deputy Secretary said, "there is room for improvement here and we look forward to discussing ways to make this instrument more effective".

12. (C) While Post recommends continued U.S. opposition to Russia's proposal for a politicized "review" of VD99, it does believe targeted improvements can be identified that would benefit USG interests. Per Reftel, with the Ministerial now behind us, Post is ready to work with Russia to develop a work program in which individual CSBM proposals are advanced and considered on their own merits, with later examination as to whether they are more appropriate as stand-alone measures or should be incorporated into Vienna Document or another OSCE instrument.

13. (C) Post proposes to consult broadly with Allies as well as the Russian Del, as previously instructed reftel, to seek to identify an informal list of issues/proposals that might be considered in the FSC. Considering the level of interest in addressing substantive issues in the FSC, Post expects

many delegations to press for a rapid transition from such an informal list to actual proposals that could lead to decisions. Depending on the complexity of the issue, work to develop a proposal could be done in Vienna, in Brussels by NATO experts, or even in capitals. It will also be important to identify proposals that we might develop jointly with Russia and/or others.

¶4. (C) Guidance request: Post has developed an initial list of issues, detailed in para 5 below, and recommends it be instructed to begin work now with the Russians and others, moving beyond simply putting them on a list and starting to develop outlines for actual proposals. End Summary and Guidance Request.

What Tangibles Should U.S. and Allies Seek?

¶5. (C) Several issues have been addressed to a limited degree in the FSC during the past year and Post believes they will receive early attention, including a quick effort to develop proposals. Based on previous discussions, these proposals should be very popular with the Allies and most of the other pS. Post believes all could be of benefit to the U.S.:

-- Redefine VD99 verification quotas, which could increase

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the number of inspections and evaluations available in Russia and elsewhere for the U.S. and the Allies;

-- Increase the size of inspection/evaluation teams;

-- Lower the threshold on exercises for mandatory notifications and observations;

-- Allow the use of digital cameras but not digital cameras equipped with GPS; and

-- Alter the rules for declaring an inspection/evaluation so it cannot be used to take a quota to reduce transparency/openness, e.g., in 2009 when Russia went to Belarus and Kyrgyzstan to Kazakhstan.

Two VD99 Evaluations in Russia Yearly--Let's Get More

¶6. (C) Details on the ticks above in para 5 follow:

¶A. Adjustments to VD99 verification provision quotas. Even before Russia "suspended" its implementation of CFE, a number of OSCE participating States (pS) had expressed concern about limited opportunities for VD99 inspections and evaluations. This concern has increased because Russia has refused all CFE inspections and significantly increased its engagement in VD99 verification activities, thereby blocking opportunities for other pS to conduct verification activities, such as by taking the last inspection quota (e.g., for Belarus in September 2009).

-- This concern will increase in 2010 because the number of VD99 reportable Russian "units" drops from 167 to 107 due to downsizing and reorganization under the Russian Defense Reform Program. Russia will thus be subject to only 2 evaluations under VD99 for the entire year. (Comment. This continues a decreasing trend in the number of reported Russian "units"; when the evaluation regime first came into effect in the early 1990s, the Russian quota was 7

evaluations annually. End Comment.) The number of inspections under VD99 is unchanged: three per year for each and every country with territory in the zone of application, regardless of the size) or existence) of military forces.

-- There are a number of different proposals the U.S. and Allies could advance in negotiations to increase their quotas, such as increasing the number of evaluations by, for example, improving the ratio of one evaluation for every 60 units to one for every 30 units or even one for every 15 units. As long as the U.S. continues to report at current force levels, there would be no increased quota for the U.S. Consideration could also be given to increasing the number of inspections.

-- Such an increase in quotas should be a major U.S. VD99 priority. With the ongoing major reorganization in Russian conventional forces that began this year, it is important to have more on-the-ground information available from evaluations and inspections than we currently get under VD99.

-- An increase would also contribute to a political culture of transparency, cooperation, and predictability.

B. Increasing the size of inspection and evaluation teams.

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The combination of small teams (4 people for inspections and 3 for evaluation visits) and few events is seen by many delegations here as further limiting the opportunities for transparency. This should be a U.S. priority in conjunction with point A, above.

-- Increasing the size of teams, perhaps doubling the size for both inspections and evaluations, would allow teams to break at a site into groups (each with at least a team leader, an equipment expert, and a linguist). This would also allow better levels of experience and more eyes on the ground.

-- A political benefit would be an increased multilateral character of inspections and evaluations through opportunities for more foreign guest inspectors and evaluators (VD99 already allows up to 3 countries to participate on an inspection/evaluation) and more opportunities for the U.S. to participate on Allied teams.

C. Lowering the threshold on exercises for mandatory notifications and observations could also be a U.S. goal.

-- This has been a long-term Russian proposal. It is also now being pushed by Belarus. This could show sensitivity to their expressed interest and be part of a package in exchange for something we want.

-- From a U.S. perspective, it would enable VD99 observation of future Russian and CSTO exercises such as those in 2009 in the North Caucasus, Belarus, and Kazakhstan which were just below the current VD99 observation threshold.

-- Assuming the new thresholds were lowered to somewhere just above a brigade, which is the level that has been suggested in the past, it should have minimal impact on the need for U.S. notification or coordination with Allies due to the small size of U.S. exercises today.

D. Allow the use of digital cameras without needing to request permission (IAW with Chairman's statement dated 29 Nov 2002 FSC.DEL 595/02 Rev 2). We would interpret this to mean only digital "cameras," not digital cameras equipped with GPS, nor cameras that communicate, such as through the Internet.

-- Turkey has a proposal to this effect already on the table. We asked it be deferred until January 2010 for further

study. Recommend Washington provide updated guidance on this early in 2010 so we can engage on this popular proposal.

¶E. Place a qualifier on the use of verification events. We propose ensuring that an inspection/evaluation cannot be used to take a quota to reduce transparency/openness.

-- For example, in 2009 Russia inspected Belarus shortly in advance of an exercise in which it participated, and Kyrgyzstan inspected Kazakhstan during an exercise in which it participated. In both cases, they took the last quota just before a NATO Ally was able to notify a planned inspection. While Russia and Kyrgyzstan should not have had information about specific NATO plans, they would have known from past practice that NATO pS place a priority on inspecting notified CSTO military exercises.

-- A decision that says inspections conducted by a pS participating in a military activity notified under VD99

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within a designated period (e.g., four weeks) of that military activity, do not count against the inspection quota of a pS could be one possible fix.

¶F. There are a number of additional ideas being discussed in Vienna that will demand consideration; with a few edits, some may benefit the USG. For instance, would a requirement that every pS annually notify at least one military exercise for observation make sense for us? Ukraine is changing an already-tabled food-for-thought (the FFT in FSC.DEL/96/09 on 27 October) aimed at Russian forces in the Crimea into a concrete proposal. (We have not substantively engaged on this FFT yet. If we do so, should we urge Ukraine to change references to "deployment" to "separately located"?) The Czech Republic just published a FFT on VD99 Chapter IV Contacts, and Denmark has ideas circulating informally among Allies called "VD99 Plus," which suggests a way to categorize agreed measures. There will be more.

Transparency on New Types of Systems?

¶7. (C) In addition, consultations with Allies will almost certainly reveal interest in pursuing other issues that have not yet been discussed in the FSC, either related to VD99 or not ("new"). Post believes that it is in our interest to consider whether there are such issues that the U.S. would like to raise.

¶8. (C) To this end, Post would like to suggest for Washington consideration whether it is in the U.S. interest to propose a CSBM to provide transparency on new types of systems being deployed in the zone of application, e.g., UAVs, UCAVs, and MRAPs not subject to VD99. Britain is already reporting UCAVs in its GEMI and CAT data. While obviously we do not need this data on British UCAVs, notifications about similar holdings by Russia and some others could be useful. (Perhaps this would be better separated from information exchange provisions in VD99 since it already is a separate category in the GEMI exchange. Although some of our Allies have these types of equipment, Post is not aware of them focusing on a separate mechanism to provide transparency.)

Need Assistance from Outside Vienna

¶9. (C) Post proposes beginning work on these issues with the QUAD and other Allies in Vienna, but believes it will be important to get Allied buy-in to this approach. Post recommends working this within the VCC and raising this at the January 28 HLTF meeting. This would be needed to ensure high-level support and to prevent sniping from delegations that may be too eager to accommodate Russian demands as well as from other delegations that may have grown too comfortable with paralysis and no movement.

¶10. (C) Regarding development of actual text for proposals, for the U.S., time permitting, we would like to pursue consultations with Allies through existing channels at NATO, with Allies and friends in Vienna, and bilaterally with

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Russia. This should precede open debate in the FSC. We will encourage Allies to follow a similar pattern for converting their own ideas into proposals.

Now is the Time

¶11. (C) Comment: We believe the Deputy Secretary's remarks at the OSCE Athens Ministerial on VD99 ("there is room for improvement here and we look forward to discussing ways to make this instrument more effective") and the ministerial decision in Athens which adopted the language the U.S. promoted (e.g., exploring ways to strengthen arms control and CSBM instruments, "including strengthening VD99") lay the foundation for an approach that can be pursued as an alternative to the Russian proposal for a "review" of VD99. Now is the time to seek to advance U.S. interests as described above: If we do not assert leadership, others with less helpful proposals will seize the initiative. This would create a situation where, inter alia, Russia will seek to divide the Alliance, as they did in the FSC in November on VD99. On the other hand, we can work to change provisions that are in U.S. interest, and add CSBMs where advantageous.

¶12. (C) We recommend Washington consider reviewing existing proposals, develop new proposals, determine any red lines, and confirm/monitor a negotiation strategy. Post would like to begin its initial work on this set of issues in early January, recognizing that some elements will need additional preparation in Washington and Allied capitals. Guidance request para 4. End comment.
FULLER